

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
: :
Miriam Fields-Babineau : :
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Serial No.: 09/736,408 : Art Unit: 3644
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Filed: December 15, 2000 : Examiner: Smith, Kimberly
: :
For: COMFORT TRAINER : Atty Docket: 4523-001
("CANINE HEAD HALTER") : (MFB-0001)
: :
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DECLARATION UNDER 37 C.F.R. §1.132
ALICE DE GROOT, BS., MS., DVM

I am Alice De Groot, BS, MS, DVM, of Mountainair New Mexico (P.O. Box 477, Mountainair, NM 87036).

I am the inventor of the K-9 KUMALONG and U.S. Patent Nos. 4,483,275, and 4,566,255. I am considered to be the originator of the canine training halter that encircles the canine snout.

I am familiar with the COMFORT TRAINER developed by Miriam Fields-Babineau.

During the development of the K-9 KUMALONG, I considered and then specifically rejected the use of metallic rings. I chose flexible "DOWNHOLE" rubber rings used in commercial drilling. Metal is not forgiving and will not conform to the canine head. Rubber rings are forgiving and will conform to the canine head. I was concerned that metal rings would cause nerve damage. The difference between rubber and metal rings is not an obvious substitution and represents a significant difference in design.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Respectfully submitted,

Date: 2/4/04

Alice De Groot DVM
ALICE DE GROOT, BS., MS., DVM